

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
COURT FILE NO.: 13 CV 1157 MJD/AJB**

Katelynn Hubbell, )  
                        )  
Plaintiff,           )  
                        )  
v.                     )  
                        )  
American Accounts & Advisors, Inc., )  
                        )  
                        )  
Defendant.           )

**SWORN DECLARATION OF  
RICHARD J. MALACKO**

---

**SWORN DECLARATION**

I, Richard J. Malacko, declare under penalty of perjury as follows:

1. That I am the attorney for Defendant American Accounts & Advisers, Inc.
2. Attached to this declaration as exhibit 1 is a true copy of the Rule 68 Offer of Judgment served on Plaintiff on June 14, 2013.
3. Attached to this declaration as exhibit 2 is a true copy of an email from Plaintiff's counsel, dated June 20, 2013, rejecting the Rule 68 Offer of Judgment.

Dated: June 27, 2013

Signed: s/Richard J. Malacko  
Richard J. Malacko